

To the Members of the California State Assembly:

I am returning Assembly Bill 1003 without my signature.

With the passage of Proposition 218, voters clearly specified that fees should not be imposed without their approval. Unfortunately, some governmental agencies have used an ambiguity in the law to circumvent the will of the people by disguising new taxes as fees. I discourage this practice and encourage the Legislature to help eliminate this ambiguity.

Watershed protection, including reducing pollutants in storm water and urban runoff, is essential. It is important to give the Ventura County Watershed Protection District the tools it needs to carry out its mission in this area. Unfortunately, this bill, as drafted, would not protect against the possibility of imposing a fee without voter approval. Although I believe the District would not subvert the will of the voters by imposing such a fee, this bill could be interpreted to allow it.

I urge the Legislature to send me a bill that addresses these concerns, so that I can sign it before the Interim Study Recess.

Sincerely,

Arnold Schwarzenegger